

Utilization Review Methods for  
Skilled and Intermediate Nursing Care Facilities

Maryland's Single State Agency is deemed to have satisfied the requirements of utilization control as specified in 42 CFR §§431.630 and §456.2.

The Single State Agency has entered into a written contract with a Peer Review Organization (PRO) designated under Part B of Title XI to perform review of Medicaid services not inconsistent with those activities performed for review of Title XVIII services. Review is conducted as specified in the Utilization Control Plan for Selected Institutional Services Reimbursed by the Maryland Medical Assistance Program which is incorporated by reference in the contract between the Single State Agency and the Utilization Control Agent. Performance of review functions specified in the Utilization Control Plan will be monitored by the Medical Assistance Compliance Administration. Utilization Control as performed under this contract encompasses all Medical Assistance recipients or applicants residing in or attempting access to hospitals, skilled and intermediate nursing care facilities and medical day care programs. This contract excludes ICF/MR facilities which are subject to facility and inspection of Care based review. The contract period extends from January 1, 1985 through June 30, 1987 and provides for renegotiation should new obligations impose additional burdens upon the Utilization Control Agent. Either the Utilization Control Agent or the Single State Agency may exercise contractual provisions to terminate the contract for cause after providing thirty days notice in writing or to terminate the contract without cause after providing sixty days notice in writing. The Single State Agency has reserved the right to terminate the contract (after thirty days notice in writing) in the event that Federal Financial Participation not be available in whole or in part for the execution of the contract.

The contract provides for the maintenance of records pertaining to determinations made under the Utilization Control Plan in accordance with the laws of the State of Maryland and of the United States. These records are available to appropriate Federal and State personnel or their designees. Upon termination of the contract, copies of all records will be provided to the Single State Agency. The confidentiality of all records is protected as prescribed in 1902 (a) (7) of the Social Security Act as provided in the contract. The contract provides that no utilization control function can be subcontracted without the written consent of the Single State Agency.

The decision of the PRO is binding for payment purposes, except that adverse decisions may be appealed to the Single State Agency and, in accordance with State law, the individual also has the right to a fair hearing by the Department's Office of Hearings.

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